

ORDINANCE COMMITTEE MEETING
DECEMBER 1, 2008

ITEM #1

ORDERED THAT the Board of Aldermen accept the attached Traffic Control Agreement for Center Street.

ITEM #2

Minutes



CHICOPEE BOARD OF ALDERMEN
ORDINANCE COMMITTEE

ACCEPTED 12-9-08

MEMBERS

James Tillotson, Chairman
George Moreau, Vice-Chairman
Donald Demers
John Vieau
Robert J. Zygarowski

MINUTES
December 1, 2008

The following are the minutes of a public hearing held Monday, December 1, 2008 at 5:30 PM in the Aldermanic Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present: Tillotson, Demers, Moreau Zygarowski

Members Absent: Vieau

Also Present: Alderman Swider, Stanley Kulig (DPW Superintendent), Steve Frederick (City Engineer),

The meeting was called to order at 5:30 PM

Item #1

ORDERED THAT the Board of Aldermen accept the attached Traffic Control Agreement for Center Street.

Stanley Kulig explained to the committee that this agreement needs to be approved by the city prior to the project going out to bid.

Motion made to approve and incorporate in our ordinances.

Committee vote 4 - 0 favorable.

Item #2

Minutes – November 13, 2008. Motion made to approve. Motion passed.

Meeting adjourned at 5:42 PM.



CITY OF CHICOPEE

DEPARTMENT OF PUBLIC WORKS

13cps.

2008 NOV 14 AM 8:58

Stanley W. Kulig, P.E.
Superintendent

ALDERMAN
CHICOPEE, MA.

MEMO

TO: Alderman William Zaskey
President, Board of Aldermen

FROM: Stanley W. Kulig

DATE: November 10, 2008

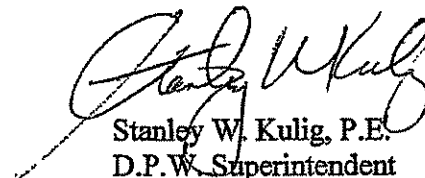
RE: CENTER STREET TRAFFIC CONTROL AGREEMENT

Attached please find the Traffic Control Agreement that must be ratified so that the Center Street Reconstruction Project can move forward. This agreement is required because the project is designated as a Federal Aid project. For your information, the project currently has a bid advertisement date of November 29, 2008.

I respectfully request that you submit this agreement to the Board of Aldermen for approval. Since the agreement will adopt traffic ordinances, it must be referred to the Ordinance Committee after a first reading by the Board. The "Specific Provisions" section of the agreement must be specifically ratified by the Board for incorporation into the City's Traffic Ordinances. These provisions relate to turning lanes, no parking, and stop signs.

Thank you for your assistance with this matter. It is my understanding that if the Board acts on this agreement at your next meeting in November, and then adopts the agreement at the first meeting in December, the bid process will not be significantly impacted.

If you have any questions, please give me a call.


Stanley W. Kulig, P.E.
D.P.W. Superintendent

Cc: Mayor Bissonnette
Board of Aldermen
Susan Phillips, City Solicitor
Steve Frederick, City Engineer
Alderman Swider
Alderman Tillotson

"COMMITTED TO PUBLIC SERVICE"



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF TRANSPORTATION
MASSACHUSETTS HIGHWAY DEPARTMENT

EOT

BERNARD COHEN
SECRETARY

LUISA PAIEWONSKY
COMMISSIONER

November 4, 2008

Mr. Stanley Kulig, Superintendent
Department of Public Works
115 Baskin Drive
Chicopee, MA 01020

Dear Mr. Kulig:

Enclosed with this letter are four originals of a Traffic Control Agreement for the proposed Safety Improvement Project at Center Street. This Agreement is required by the Federal Highway Administration in accordance with Title 23 USC, Sections 109(d) and 116. The purpose of this Agreement is to assure that the ways within and adjacent to the project will be operated and maintained by the municipality as planned. Failure on the part of any municipality to execute and fulfill the terms of the Agreement may cause disqualification from participation in future Safety Improvement Projects.

This Agreement has been discussed with the project design engineer and municipal representatives. The proper officials, including the city solicitor, are required to sign all four originals of the Agreement and affix all attestations and seals.

It is requested that all pertinent traffic regulations be enacted. In the instance where existing municipal regulations are in conflict with the Agreement, action must be taken to bring them into compliance with the Agreement.

Please submit to this office the four signed originals of the Agreement and three signed, dated and executed originals of the regulation establishing the "Specific Provisions Section" as detailed in the Traffic Control Agreement. If any of the "Specific Provisions Section" is in effect, please provide a copy of the regulation. Upon completion please forward all required documents to: State Traffic Engineer, Room 7210, Ten Park Plaza, Boston, MA 02116, Attention: Joseph J. Amato, for processing.

If you have any questions regarding this matter, you can contact Joseph J. Amato of the Highway Safety Division at 617-973-7337.

Sincerely,

Neil E. Boudreau
State Traffic Engineer

JJA/jja



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF TRANSPORTATION & PUBLIC WORKS
MASSACHUSETTS HIGHWAY DEPARTMENT

TRAFFIC ENGINEERING & OPERATIONS

TRAFFIC CONTROL AGREEMENT

AGREEMENT BETWEEN THE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF HIGHWAYS AND THE
CITY OF CHICOPEE

FEDERAL AID PROJECT NO. Pending

AGREEMENT NO. 56150

Introduction

AGREEMENT, made this day of 20 , by and between the Commonwealth of Massachusetts, through the Massachusetts Department of Highways, hereinafter called "MASSHIGHWAY," and the CITY of CHICOPEE, hereinafter called the "CITY," pursuant to the provisions of 23 U. S. C. §§ 109(d) & 116, and in accordance with the official standards of MASSHIGHWAY, which have been adopted in conformity with the provisions and recommendations of the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Department of Transportation, Federal Highway Administration, hereinafter called "STANDARDS."

WHEREAS, MASSHIGHWAY and the CITY have agreed that CENTER STREET, being in whole or in part a city way, has qualified to participate in the Federal Aid Program with the work being financed in part by the Federal Government; and

WHEREAS, the United States Government, through its Department of Transportation, Federal Highway Administration, requires that the project area upon completion will be operated and maintained in an adequate manner; and

WHEREAS, the CITY approves the proposed plans for the improvements and upon completion of the project will be the responsibility of the CITY.

NOW, THEREFORE, in consideration thereof, the CITY hereby agrees to conform to the following provisions:

General Provisions

- A. All information, regulatory or warning signs, all traffic control signals, flashing beacons, traffic islands or other traffic control devices and all pavement or other markings within the ways located in the project area shall be designed, located and operated in accordance with the STANDARDS of MASSHIGHWAY for such devices.
- B. The Police Department of the CITY shall be the enforcement agency for traffic regulations established in accordance with this AGREEMENT and the traffic devices installed in connection therewith.

- C. Signed, dated and attested copies of amendments to the CITY traffic ordinances necessary for the enforcement of any specific provisions will be forwarded forthwith by the CITY to MASSHIGHWAY.

Specific Provisions

The following provisions are examples of possible temporary restrictions that may need to be implemented during the construction of roadway projects.

- A. **NO PARKING ANY TIME** - Center Street, Eastside (NB side), from a point 15' north of the Springfield/Chicopee City/Line at Station 9+70 Northerly to Station 46+20
- B. **NO PARKING-BUS STOP** - Center Street SB (westside) at Sta 27+48
Center Street SB (westside) at Station 44+92
Center Street NB (eastside) at Station 27+95
Center Street NB (eastside) at Station 45+92
- C. **STOP SIGNS** - Plainfield Street EB at Center Street
Center Street NB at Hampden Street
- D. **LEFT TURN YIELD ON GREEN** - Center Street NB at Hampden/West Street
Center Street SB at Hampden/West Street
Hampden Street WB at Center Street
- E. **LEFT LANE MUST TURN LEFT** - Center Street NB at West/Hampden Street
Center Street SB at Hampden Street/West Street
Hampden Street WB at Center Street
- F. **RIGHT LANE MUST TURN RIGHT** - Center Street NB at Hampden Street

Access and Egress

Within the limits of the Federal Aid Project, neither additional driveways (residential or commercial) nor relocation or alteration of existing driveways shall be permitted unless they are in conformance with MASSHIGHWAY STANDARDS and receive prior written approval from MASSHIGHWAY.

Traffic Islands

Traffic islands or median islands and traffic devices thereon are not to be installed, altered or removed without the prior written approval of MASSHIGHWAY. Parking is prohibited on and adjacent to all traffic islands and median islands within the Federal Aid Project area.

Traffic Control Signals

- A. Traffic Control Signals shall be operated in strict accordance with the requirements of the applicable permit.
- B. Changes in the operation of the traffic control signals located in the Federal Aid Project area are not to be made without the express prior written approval of MASSHIGHWAY.
- C. Traffic Control Signals, the operation of which is pertinent to the Federal Aid Project area covered by this AGREEMENT, will be installed to control traffic as shown on the plans for this Federal Aid Project. All power charges for the operation of the installation will be the responsibility of the CITY as well as charges for maintenance and control. The traffic control signals listed below will be under the ownership and control of the CITY.

Center Street at Hampden/West Street

Miscellaneous

Traffic Controls or regulations instituted whether by MASSHIGHWAY or the CITY on ways or parts thereof within the Federal Aid Project are to remain in force and effect until proposed future changes have been approved in writing by MASSHIGHWAY.

MASSHIGHWAY will not approve any future proposed traffic control changes within the Federal Aid Project, which will in the opinion of MASSHIGHWAY, lessen to any degree the efficient utilization of the highway for traffic purposes.

Maintenance

The CITY, pursuant to the provisions of 23 U.S.C. §§ 109(d) & 116, shall properly maintain the way and all traffic signs and pavement markings under the control of the CITY within the project area.

Penalty

Continued and willful failure on the part of the CITY to fulfill its responsibility in the proper maintenance, operation, and enforcement of the traffic regulations of the completed project may disqualify the CITY from participation in future Federal Aid Projects in which the CITY has maintenance responsibility, as provided in Title 23 USC.

Such failure shall result in the withholding or withdrawal of the unexpended balance of any funds assigned to the CITY, under the provisions of MASS. GEN. LAWS ch. 90, § 34.

IN WITNESS WHEREOF, the Parties hereto have executed this AGREEMENT on the day and year first written.

CITY OF CHICOPEE

**COMMONWEALTH OF MASSACHUSETTS
HIGHWAY DEPARTMENT**

MAYOR

COMMISSIONER

LEGAL CERTIFICATION

This will certify that the City has complied with all applicable State Laws and its By-Laws and Ordinances as they apply to this AGREEMENT and that this AGREEMENT is a valid, binding Agreement with the City.

DATE_____
CITY SOLICITOR**CERTIFICATE OF SIGNATORY**

This will certify that the below named individuals are duly authorized and empowered to execute and deliver this AGREEMENT on behalf of the City of CHICOPEE

NAME MICHAEL D. BISSONNETTE

DATE _____

TITLE MAYORNAME KEITH RATTELL

ATTEST _____

CITY CLERK